

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: *HB 197

51st Legislature, 1st Session, 2013

Tracking Number: .191452.1

Short Title: School Security & Parent Identification

Sponsor(s): Representative Sandra P. Jeff and Senator Benny Shendo, Jr., and Others

Analyst: Kevin Force

Date: February 15, 2013

Bill Summary:

HB 197 mandates the creation of security systems for the visual identification of students' parents. Specifically, HB 197:

- requires school districts and charter schools, beginning in school year 2013-2104, to establish and implement systems to “allow ready visual identification of parents of children enrolled in the school district or charter school”;
- creates the Public School Security Infrastructure Fund as a non-reverting fund in the state treasury to be administered by the Public Education Department (PED); and
- requires the Secretary of Public Education to:
 - establish form and content criteria for grant proposals;
 - request school security grant proposals by June 30 of each year for the installation of security improvements to prevent intruders from entering school property or vehicles and endangering students and school personnel; and
 - award grants from the fund based on completeness of proposals, priority of the need for the project, and the soundness of the project.

Finally, HB 197 declares an emergency.

Fiscal Impact:

\$ 1.5 million dollars is appropriated from the General Fund to the Public School Security Infrastructure Fund. Unexpended or unencumbered funds do not revert to the General Fund.

Fiscal Issues:

PED notes that the Legislature may wish to consider appropriating funds from the Public School Capital Outlay Fund, with oversight by the Public School Facilities Authority, allowing a systematic approach to this issue, rather than piecemeal action.

Substantive Issues:

According to PED:

- recently, instances of school violence have received much attention in the media, and have become an issue of great concern, nationwide;
- this bill arises out of the desire to take a proactive approach to improving school safety;
- HB 197 addresses only systems for the visual identification of parents of children enrolled in the school district or charter, but makes no provision for the identification of other visitors to schools;
- the 2011 *New Mexico High School Youth Risk and Resiliency Survey (YRRS)*¹ indicates:
 - 6.5 percent of students reported carrying a weapon on school property in the past 30 days;
 - 8.1 percent of students reported skipping school due to safety issues in the past 30 days;
 - 11.3 percent of students reported being in a physical fight on school property in the past 12 months; and
 - 18.7 percent of students reported being bullied on school property in the past 12 months; and
- PED's 2012 *Building State Capacity to Prevent Youth Substance Use and Violence in the Schools Assessment Report*² indicates that respondents representing the school sample reported that landscaping features such as gates, cameras and security provide the best protection for students from abuse and violence.

Background:

Although school safety is always a major concern for policymakers, recently, many jurisdictions have begun examining the efficacy of a variety of school safety related procedures and interventions, including³:

- the impact of school design on health and safety;
- hiring full-time school resource officers at charter schools, despite expense;
- installing gun safes in high schools and middle schools;
- using state funding to pay for school security personnel;
- using retired police officers to provide schools with security;
- consideration of federal legislation to strengthen and expand the existing COPS Secure Our Schools grants programs⁴;

¹ The New Mexico Youth Risk and Resiliency Survey is conducted by the New Mexico Department of Health and PED, with technical assistance from the University of New Mexico Prevention Research Center and the Centers for Disease Control and Prevention (CDC). The YRRS is a part of the national Youth Risk Behavior Surveillance System (YRBSS), a survey of public high school and middle school students. The survey includes questions about risk behaviors (behaviors contributing to unintentional injury; behaviors associated with violence; mental health, suicidal ideation and suicide attempts; alcohol, tobacco and drug use; sexual activity; and physical activity, nutrition, and body weight) and resiliency (protective) factors. See <http://nmhealth.org/erd/HealthData/pdf/ERD-HealthData-YRRS-HighSchoolResults-2011.pdf>.

² See <http://ped.state.nm.us/sfsb/programs>

³ See The School Safety Law Blog, at: <http://schoolsafetylawblog.com>.

- allowing teachers and other school staff to carry firearms;
- establishment of school safety task forces to examine safety issues and make policy recommendations; and
- reporting school safety data to parents.

According to a report by the Hamilton Fish Institute on School and Community Violence & Northwest Regional Educational Laboratory⁵:

- reactive approaches, especially those that rely heavily on purely disciplinary measures, are decidedly disadvantageous where school safety matters are concerned;
- schools may be civilly liable for failure to protect students; and
- technology increases the ability of school officials to monitor the activity of the student population through advanced camera and recording systems, although privacy considerations must also be addressed.

According to PED, in 2007 the Legislature appropriated \$ 2.0 million to PED to:

- distribute to districts for the installation of up to 4,000 security cameras in public schools throughout the state; and
- purchase metal detectors, which were purchased by Albuquerque Public Schools and Las Cruces Public Schools.

Committee Referrals:

HEC/HAFC

Related Bills:

SB 230 *School Employee Concealed Handguns*

SB 306 *School District Police Force*

⁴ See, <http://www.cops.usdoj.gov/Default.asp?Item=2623>

⁵ *Effective Strategies for Creating Safer Schools and Communities: School Policies and Legal Issues Supporting Safe Schools*, Hutton and Bailey, The Hamilton Fish Institute on School and Community Violence & Northwest Regional Educational Laboratory, (with support from the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, September 2007.